

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TIVO INC.,

Plaintiff,

vs.

CISCO SYSTEMS, INC., TIME WARNER
CABLE INC., and TIME WARNER CABLE
LLC,

Defendants.

Case No. 2:12-cv-311-JRG
(and consolidated Case No. 2:12-cv-434-JRG)

JURY TRIAL DEMANDED

**STIPULATION AND JOINT MOTION TO DISMISS PURSUANT TO
RULE 41 OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Pursuant to Rule 41 of the Federal Rules of Civil Procedure and the agreements of the Parties, Plaintiff TiVo Inc. ("TiVo") and Defendants Cisco Systems, Inc. ("Cisco"), Time Warner Cable Inc., and Time Warner Cable LLC (collectively, "Time Warner Cable"), (collectively the "Parties"), by and through counsel, hereby stipulate to the dismissal of this entire action as follows:

1. All claims and counterclaims TiVo asserted against Cisco in the above-captioned action are dismissed with prejudice in their entirety.
2. All claims and counterclaims Cisco asserted against TiVo in the above-captioned action are dismissed with prejudice in their entirety, except that all Cisco claims and counterclaims asserting invalidity of TiVo's U.S. Patent No. 6,233,389 ("the '389 patent"), U.S. Patent No. 7,529,465 ("the '465 patent"), U.S. Patent No. 7,493,015 ("the '015 patent"), and U.S. Patent No. 6,792,195 ("the '195 patent") are dismissed without prejudice.

3. All claims and counterclaims that TiVo asserted against Time Warner Cable in the above-captioned action are dismissed without prejudice in their entirety.

4. The Parties shall each bear their own costs and attorney's fees in this action.

Text of an Order of Dismissal has been lodged concurrently herewith.

Dated: July 25, 2013

Respectfully submitted,

By: /s/ Sam Baxter

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 25th day of July, 2013.

/s/ Sam Baxter _____